

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA

vs.

(1) ADRIAN GIL II

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NO: EP:22-CR-00773(1)-DB

ORDER SETTING DOCKET CALL

IT IS HEREBY ORDERED that the above entitled and numbered case is set for DOCKET CALL on August 12, 2022 at 10:30 a.m. in Courtroom 722, on the 7th Floor of the Albert Armendariz, Sr., United States Courthouse, 525 Magoffin, El Paso, TX.

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and the United States Probation Office. Counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding.

IT IS SO ORDERED this 21st day of June, 2022.



DAVID BRIONES
SENIOR U.S. DISTRICT JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA

vs.

(1) ADRIAN GIL II

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NO: EP:22-CR-00773(1)-DB

**DEFENDANT'S NOTICE FOR ADMINISTRATIVE SETTING
IN LIEU OF APPEARANCE AT DOCKET CALL**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

Comes now undersigned counsel for the Defendant, **(1) ADRIAN GIL II**, on this day and respectfully enters this appearance administratively and in lieu of appearing at the Docket Call scheduled for August 12, 2022 at 10:30 a.m. and shows the Court as follows:

- _____ 1. Counsel, **never having previously requested nor obtained a Continuance**, moves for Continuance of the Docket Call because of the need for investigation, plea negotiations, and/or preparation of the defense due to complex discovery issues in this case. Counsel further agrees that the interest of justice outweighs the interest of the Defendant and the public in a speedy trial, and agrees that the time from the scheduled docket call through the next docket call is excludable time within the meaning of the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*; or
- _____ 2. The Defendant moves to have the above styled and number cause set for a Plea Hearing.
(The Plea Hearing date may NOT be scheduled after the Court's next regularly scheduled Docket Call date).
The Defendant requests the plea be set in _____ 2 Weeks, _____ 3 Weeks, _____ 4 Weeks; or
- _____ 3. The Defendant moves to have the above styled and numbered cause set for Plea and Sentencing Hearing before this Court to be set at the Court's convenience. The Defendant understands he/she can only be sentenced at the time of the plea if the Defendant obtains the approval from the United States Probation Office. The Defendant accepts the responsibility to resolve that approval and any sentencing issue with the United States Probation Office.
The Defendant requests the plea and sentencing be set in _____ 2 Weeks, _____ 3 Weeks, _____ 4 Weeks.

This Notice is filed no later than four (4) business days prior to the scheduled Docket Call and bears the appropriate stamp marking it as "Filed" by the Office of the District Clerk. Counsel further understands that attendance at the Docket Call is REQUIRED unless an Order setting this case for a subsequent hearing is entered by the Court and received by Counsel.

Respectfully submitted,

(signature)

(typed or printed name)
Defense Counsel for

(typed or printed name)
Defendant

Certificate of Service

I certify that a true and correct copy of the above Notice was served upon opposing counsel, UNITED STATES ATTORNEY'S OFFICE, by facsimile, 915-534-6024, in accordance with the Federal Rules of Criminal Procedure on the _____ day of _____, 20____.

Defense Attorney

COURT'S INSTRUCTIONS REGARDING DOCKET CALL
HONORABLE DAVID BRIONES

1. Defense counsel will be allowed to file the corresponding Notice for Administrative Setting in Lieu of Appearance at Docket Call (hereinafter "Notice") if the circumstances of the particular case meet the requirements of the Notice. **ABSOLUTELY NO ALTERATIONS MAY BE MADE TO THE FORM NOTICE.** If the particular circumstances of the case do not meet the requirements of the Notice, or if you have a doubt thereof, you **should attend** the Docket Call and discuss the matter with the Court on the record.
2. Very simply, those attorneys who have neither sought nor obtained a "Pass" on a prior occasion and who wish to request one may do so by completing and filing the Notice and marking an "X" in the first space. **Attorneys who have obtained a continuance previously (having requested and obtained a "Pass") MUST attend Docket Call if a second pass is going to be requested (regardless of the reason).**
3. Those attorneys who wish to request that the Court set a case for a "Plea Hearing" (whether a "Pass" has previously been requested or not) may also complete and file the Notice and mark an "X" in the second space. **Attorneys may not request that the Plea Hearing be scheduled after the next month's Docket Call.** For example, if you are scheduled to attend a Docket Call on October 3, and you are aware that your client wishes to have a Plea Hearing set, you may complete the Notice, mark an "X" in the space by Paragraph 2, and the case will be set for a Plea Hearing. Information about the Docket Call dates may be obtained from the Courtroom Deputy at 534-6725. If a plea setting is requested and received by counsel, then the attorney need not attend the docket call.
4. If you wish to request a trial setting (jury or non-jury), you **MUST ATTEND** Docket Call and may not substitute the attached Notice.
5. You may attend Docket Call *even if you are eligible* to file the Notice. In other words, you are never precluded from attending the Docket Call.
6. The corresponding Notice **MUST** be filed no later than **four (4) business days** (exclusive of federal holidays) **prior to the scheduled Docket Call.**
7. Any Notice filed pursuant to these instructions requires only the signature of the defense attorney, but service of the Notice upon the UNITED STATES ATTORNEY is required.
8. File a single Notice for each case. **DO NOT** file a Notice with more than one cause number. If you are scheduled to appear at Docket Call on several cases and are eligible to file a Notice in each case, you **MUST** file one Notice per case.
9. Questions about this process may be directed by attorneys to the Courtroom Deputy at 915-534-6725.